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UNCLAS SECTION 01 OF 02 KINGSTON 000292

SIPDIS

SENSITIVE

DEPARTMENT FOR WHA/CAR AND EB/TRA (BYERLE AND MATTINGLEY)
STATE PASS FAA FOR KRISTA BERQUIST
MONTREAL FOR U.S. MISSION TO ICAO

E.O. 12958: N/A

TAGS: [FAIR](#) [ECON](#) [ETRD](#) [PREL](#) [JM](#)

SUBJECT: JAMAICA CIVAIR: INFORMING GOJ OF FAA REQUEST FOR
IMMEDIATE FINAL DISCUSSION ON POSSIBLE DOWNGRADE TO IASA
CATEGORY TWO STATUS

REF: A. STATE 13346

- [1](#)B. 04 STATE 130299
- [1](#)C. 04 KINGSTON 1738
- [1](#)D. 04 KINGSTON 1683

SUMMARY

[1](#)1. (SBU) Per Ref A instructions, on January 27 Pol/Econ Chief and Econoff met with Transport Minister Robert Pickersgill, Jamaica Civil Aviation Authority (JCAA) Chief Col. Torrance Lewis, and members of their staffs, to advise of the areas in which the FAA found the Jamaica Civil Aviation Authority (JCAA) to be out of compliance with minimum ICAO standards. Emboffs further requested that the GOJ schedule, soonest, final consultations with the FAA to review corrective actions thus far and determine whether Jamaica should be downgraded to Category 2. There were some initial protests from the GOJ representatives that the USG wasn't giving the GOJ the time or notification it had promised in June 2004 (Ref B), but Pickersgill silenced the protests and informed Emboffs of his intention to cooperate fully with the FAA's request and to work with the USG to ensure the safety of Jamaica's air travel industry. End Summary.

[1](#)2. (SBU) Per Ref A instructions, on January 27 Pol/Econ Chief Mark Powell and Econoff Eric Salzman met with Transport Minister Robert Pickersgill, JCAA Chief Col. Torrance Lewis, JCAA Chairman Tony Kelly, and members of their staffs (including legal officer Marva Gordon Simmonds), to advise them of the areas in which FAA found the Jamaica Civil Aviation Authority (JCAA) not to be in compliance with minimum ICAO standards. P/E Chief also specifically requested that the GOJ agree to hold immediate formal final discussion with FAA to discuss the shortcomings in the present safety oversight system and related deficiencies. On January 26, the day prior to the briefing for Pickersgill et al, P/E Chief telephoned Joy Wheeler, Ministry of Foreign Affairs and Foreign Trade (MFAFT) Director for the Americas and the Caribbean, to inform her of the next day's briefing for Minister Pickersgill, and agreed to provide her the text of the documents he would hand to Pickersgill the following day. Wheeler expressed appreciation for the prior notice. P/E Chief also attempted to contact Claudia Barnes, MFA Acting Director for Economic Affairs, with the same heads-up, leaving a message with her secretary.

[1](#)3. (U) At the outset of the meeting with Pickersgill, Pol/Econ Chief officially informed him that the USG considers the demarche delivery to be "consultations" under the terms of Article 6, and formally requested that the GOJ schedule and hold final discussions with the USG (as represented by the Department of State and the FAA) to go over the specific deficiencies noted in the December assessment. Pol/Econ Chief then delivered the talking points verbally, before handing to Col Lewis, the Minister and others, copies of Ref A letter to Col. Lewis from FAA's James Ballough, FAA Reassessment Report, and talking points.

[1](#)4. (SBU) Pickersgill questioned the time-frame for the final decision-making process, citing the 60-day period given in the June 2004 demarche letter (Ref B). Pol/Econ Chief replied that the extent of the safety issues was not apparent at that time, and that the severity of the oversight lapses necessitates a shortening of the evaluation period. By the end of the discussion, Pickersgill appeared to accept the fact that the FAA would make its determination immediately following final consultations with the GOJ.

[1](#)5. (SBU) Lewis cited the June letter as well, stating that it had promised that a written report on the FAA assessment team's findings would be provided to the JCAA no more than two weeks after the conclusion of the assessment, which was concluded in early December. He stated that the document given to him at the January 27th demarche delivery was the

first time he'd seen such a report, and that the JCAA had been waiting for the report in order to begin taking specific corrective actions.

16. (SBU) Pickersgill advised the GOJ representatives at the meeting that it was not the time or place to discuss technical issues or legalities. He further instructed them to compile reports from their departments on what corrective actions had been taken for each of the 18 items noted in the FAA assessment report and to have a report on their findings ready by the end of the day.

17. (SBU) As the meeting wound down, Pickersgill asked Emboffs to convey three messages to Washington:

"When it comes to safety, the JCAA exercises no discretion. Any problem is reported directly to the political directorate. We are as concerned as anyone about safety. As a major tourism destination, we have an impeccable safety record to protect. We want to demonstrate our seriousness and show we are involved. We will do whatever it takes to address the FAA's safety concerns."

"It is not easy for a small country like Jamaica to attract and retain people with the necessary technical skills. Currently, we use former Air Jamaica employees, but this brings up questions of conflict of interest. We'd like to hire retired FAA employees, if that were possible. We're endeavoring our utmost and don't want the FAA to second-guess our seriousness."

"We need guidance. The head of the JCAA was invited by the FAA and George Washington University to the Global Summit on Regional Aviation Safety Oversight at GWU on Feb 1-3 2005, but members of the political directorate are never invited to such meetings. As Minister, I'd like to be able to talk to U.S. policy-setting decision makers at my level. Who can I talk with? I want to hear from someone where we're going wrong overall, beyond just the technical issues."

18. (U) Following up on P/E Chief's commitment to do so, on January 28, Embassy sent the MFAFT's Joy Wheeler and Claudia Barnes individual copies of Ref A letter (addressed to Col. Lewis from FAA James J. Ballough) and the accompanying talking points.

COMMENT

19. (SBU) Though several GOJ representatives initially sought wiggle room regarding the scheduling of final discussions, Pickersgill repeatedly made it clear (on several occasions going so far as to cut off a protesting member of his staff) that quibbling with Emboffs about what constituted "immediate" was a waste of time, and that his Ministry and the JCAA would do everything possible to work with the FAA to bring Jamaica's operations up to acceptable standards.

110. (SBU) Despite Lewis' protests that he had not received a timely written report from the FAA, several other Ministry staffers present at the meeting acknowledged that they had been in direct contact with the FAA office in Miami, and that they had been working on addressing the FAA's safety concerns for several weeks.

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